

**TOWN OF ELSMERE  
COUNCIL MEETING MINUTES  
JULY 10, 2014  
ELSMERE FIRE COMPANY  
6:30 p.m.**

**CALL TO ORDER:** Mayor Steven Burg called the meeting to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

MAYOR	STEVEN BURG	PRESENT
1 <sup>ST</sup> DISTRICT	JOHN JAREMCHUK, JR.	PRESENT
2 <sup>ND</sup> DISTRICT	PATRICIA FRANTZ	PRESENT
3 <sup>RD</sup> DISTRICT	ROBERT KACPERSKI	PRESENT
4 <sup>TH</sup> DISTRICT	CHARLES MCKEWEN	PRESENT
5 <sup>TH</sup> DISTRICT	JOANN I. PERSONTI	PRESENT
6 <sup>TH</sup> DISTRICT	DEBORAH A. NORKAVAGE	PRESENT

Town Solicitor, Edward McNally – Present

Town Manager, John Giles – Present

Chief of Police, Laura Giles – Present

**PUBLIC COMMENT:**

Ed Zielinski, 1334 Maple Ave, commented on Resolutions 14-06 and 14-07, stating that he thought it was a bad idea to form “The Town of Elsmere Real Estate Holding Company”. He had a few questions regarding where this money would come from. He asked how back taxes would be paid on these properties and once the \$90,000.00 was maxed out where would the Town get the money to continue. He wanted to know if the project failed, would the tax payers be paying for this. He stated that this Town does not need any financial set-backs. He feels these two resolutions should not be approved.

Catherine Davidson, 1106 Dilworth Rd, Wilmington, DE, spoke regarding the Dog Park stating that she loves being able to bring her dog to the Park, but there have been some issues at the park that need to be addressed such as vandalism and other people who think they own the park and say who can and cannot go into certain parts of the Park.

Julia Webster, 331 Justison Street, Wilmington, DE, spoke regarding the Dog Park stating that she loves bringing her dog to the Park, but has stopped going to the park as much as she’d like to take her dog because certain people have made it a hostile environment, creating letters and putting them on the bulletin board calling people negative names. She stated she has taken the letter to the Mayor’s house showing him what was left for people to see on the bulletin board.

Chris Vitsorek, 12 Vilone Place, stated that she is giving her 3 minute speaking time to Joe Corpina.

Joe Corpina, 12 Vilone Place, apologized for bringing up the issues regarding the Dog Park which is a great place for the dogs. He stated that it seems like the people are more problematic than the dogs. He stated that he has a petition signed by many individuals to ban certain people from the use of the Dog Park. These individuals, through their actions are creating disharmony, disturbing the peace and interfering with the K-9 and human use of the Park. He then submitted the petition for public record.

Councilwoman Personti stated that she had a suggestion to give to the individuals who are having these issues at the Dog Park. The Court of Common Pleas has a mediation program that is free of charge. She then provided Joe Corpina with the paper work that would need to be submitted to start this process. She stated she would be glad to speak with anyone after the meeting if they had questions.

Joe Corpina asked if the petition would be addressed tonight at the meeting.

Councilman Jaremchuk stated that if the mediation takes place we should wait to see if an amicable agreement could be reached before addressing the petition.

Mayor Burg stated that no one can be banned from the park unless there is an arrest. It has been discussed with the Police Department.

Joe Corpina stated that these people are not changing their ways.

Chief Laura Giles stated that this is the only park which the Police Department is constantly called to for people who can't get along. She also stated that the mediation program is a great idea.

Councilman Jaremchuk stated that the Court of Common Pleas is a great program and that they may find some kind of relief by going through this program to address the issues.

Mayor Burg stated let's see what happens through the mediation process and go from there. He also confirmed that the petition has been entered into record.

It was the consensus of the Mayor and Council that the matter should be referred to the Court of Common Pleas Mediation Program and that Councilwoman Personti should be the person to start the process for that program.

## **APPROVAL OF MINUTES:**

Minutes of the June 07, 2014 Special combined meeting of the Mayor Council and the Finance Committee Meeting Minutes.

**ACTION:** A motion was made by Councilwoman Norkavage to approve the minutes of the June 07, 2014 Council Minutes with no corrections. The motion was seconded by Councilman Jaremchuk.

**VOTE:**            6-0 with 1 Abstained            All-in-favor            Motion carried

1<sup>st</sup> District – yes, 2<sup>nd</sup> District – yes, 3<sup>rd</sup> District – yes, 4<sup>th</sup> District – yes, 5<sup>th</sup> District – abstained, 6<sup>th</sup> District – yes, Mayor – yes.

Councilwoman Personti stated that she was abstaining because she was not at the meeting.

Minutes of the June 12, 2014 meeting of the Mayor and Council.

**ACTION:** A motion was made by Councilwoman Norkavage to approve the minutes of the June 07, 2014 Council Minutes with no corrections. The motion was seconded by Councilman McKewen.

**VOTE:**            6-0 with 1 Abstained   All-in-favor            Motion carried

1<sup>st</sup> District – yes, 2<sup>nd</sup> District – yes, 3<sup>rd</sup> District – yes, 4<sup>th</sup> District – yes, 5<sup>th</sup> District – abstained, 6<sup>th</sup> District – yes, Mayor – yes

Councilwoman Personti stated that she was abstaining because she was not at the meeting.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

Consideration to accept any of the bids received for the Public Works and Police Department vehicle.

Finance Director Joseph Schulcz opened the bids for the vehicles. There were no bids for the Police Department Tahoe. There was one bid for the Public Works Truck for \$325 from Justin Dougherty.

Chief Laura Giles stated that there was an offer at the last Council Meeting for the Tahoe. She stated she would find out if that offer would still be accepted.

**ACTION:** A motion was made by Councilwoman Norkavage to authorize Chief Laura Giles to sell the Police Tahoe without bid and to accept the bid of \$325 for the Public Works Truck. The motion was seconded by Mayor Burg.

**VOTE:**            7-0                            All-in-favor            Motion carried

Consideration of Resolution 14-06. A Resolution authorizing the Mayor and Council to form a corporation to be known as the “Town of Elsmere Real Estate Holding Company”.

**ACTION:** A motion was made by Councilman Jaremchuk to approve resolution 14-06. The motion was seconded by Councilman McKewen.

**VOTE:**            7-0                            All-in-favor                            Motion carried

Consideration of Resolution 14-07. A Resolution appointing three members of the Mayor and Council to serve as the initial director’s corporation known as the “Town of Elsmere Real Estate Holding Company”.

**ACTION:** A motion was made by Mayor Burg to approve Resolution 14-07. Those three members are 1<sup>st</sup> District Councilman Jaremchuk, 4<sup>th</sup> District Councilman McKewen and 6<sup>th</sup> District Councilwoman Norkavage. The motion was seconded by Councilman Jaremchuk.

**VOTE:**            7-0                            All-in-favor                            Motion carried

Consideration of Resolution 14-08. A Resolution authorizing the corporation known as the “Town of Elsmere Real Estate Holding Company” to borrow from the Town an amount of money not to exceed \$90,000.00.

**ACTION:** A motion was made by Councilman Jaremchuk to approve Resolution 14-08. The motion was seconded by Councilman McKewen.

**VOTE:**            7-0                            All-in-favor                            Motion carried

Consideration for First and Second Reading of Ordinance 581.

**ACTION:** A motion was made by Councilman Jaremchuk to consider Ordinance 581 for First and Second Reading. The motion was seconded by Councilwoman Personti.

**VOTE:**            7-0                            All-in-favor                            Motion carried

Consideration of the Request by the Town Manager to amend the FY 2014-2015 Operation and Revenue Budget by transferring from the Administration Department to the Public Safety Department, all income and expenses associated with the multiple police pension’s accounts.

**ACTION:** A motion was made by Councilman Jaremchuk to approve the request made by Town Manager John Giles to amend the FY 2014-2015 Operation and Revenue Budget. The motion was seconded by Mayor Burg.

**VOTE:**            7-0                            All-in-favor                            Motion carried

Consideration of approving an amendment to the existing contract with Waste Management Inc. in order to correct a billing issue.

Town Manager John Giles explained that Waste Management has been over billing us for 18 months, which resulted in us over paying by approximately \$46,000.00. Waste Management has proposed to credit us for all of the over payments from January 2014 through July 2014 and to keep our contract at the current rate with no increase for the 2015 fiscal year and continuing with 3% increases for the remainder of the contract. This will result in the Town receiving a discount of more than the over payments.

**ACTION:** A motion was made by Councilman Jaremchuk to approve the amendment to the existing contract with Waste Management Inc. The motion was seconded by Councilwoman Personti.

**VOTE:**            7-0                            All-in-favor                            Motion carried

**DEPARTMENTAL REPORTS:**

Code Enforcement

Town Manager John Giles presented the written report and stated that he hired a part-time Code Enforcement Officer the department is now fully staffed. He stated that they have been very busy considering the time of year.

Finance

Town Manager John Giles presented the written report. He stated that we are waiting for the audit to come in for the official report, but that it looks as though there was a \$49,000.00 savings from last year's budget as of June 30, 2014. He stated the audit usually occurs around October of every year and is due to Council by December 1<sup>st</sup>.

Councilwoman Norkavage stated that there had been some discussion regarding a new banking company and asked if there had been any progress.

Town Manager John Giles stated that Finance Director Joe Schulcz has drafted an RFP for review but he has not yet approved it.

Public Safety

Chief Laura Giles presented the written report. She also discussed the Capital Budget and the state has awarded the bid process on 2015 Tahoe purchases. The vehicles won't be built until October or November of 2014 which doesn't make them available until January or February of 2015. She stated that she priced out leftover 2014 Tahoe's with another dealer which was Hertrich. She stated she would like permission to purchase the vehicle outside the state bid process.

**ACTION:** A motion was made by Councilman Jaremchuk to allow Chief Giles to go outside the state bid process to purchase the new Tahoe for the Police Department. The motion was seconded by Mayor Burg.

**VOTE:**            7-0                            All-in-favor                            Motion carried

### Public Works

Town Manager John Giles presented the written report. He stated they have caught up with most of the paving throughout the Town.

Councilwoman Norkavage asked if we have any of the summer youth kids

Town Manager John Giles stated that we were supposed to have two, one of which showed up but decided to come and go as he felt so he was let go. He stated that we now have one summer youth and he is working within the Public Works Department. He also discussed that the full-time position has been offered to a candidate who will be starting on July 28<sup>th</sup>.

### Town Manager

Town Manager John Giles presented the written report. He also discussed the July 4<sup>th</sup> Celebration that took place on July 5<sup>th</sup>. The event went well and other than the cost of the fireworks itself the costs to the Town was \$300.

Councilwoman Norkavage asked if the Town needed to lock in the date and sign a contract for next year.

Town Manager John Giles states that they definitely need to lock in a date for next year and he has already discussed with Fireworks Extravaganza and the price for having the fireworks on July 4, 2015 which falls on a Saturday and that it would be an additional \$2,500.00 not including any potential price increase.

At this time there was a lengthy discussion between Mayor, Council and Town Manager John Giles regarding the dates of the fireworks and whether it should be Friday July 3<sup>rd</sup>, Saturday July 4<sup>th</sup> or Sunday July 5<sup>th</sup> of 2015.

**ACTION:** A motion was made by Councilman Jaremchuk to have the Town's 2015 Independence Day Celebration on Sunday July 5, 2015, with a Rain Date scheduled for July 11, 2015. The motion was seconded by Mayor Burg.

**VOTE:** 4-3 Motion carried

1<sup>st</sup> District – yes, 2<sup>nd</sup> District – yes, 3<sup>rd</sup> District – no, 4<sup>th</sup> District – yes, 5<sup>th</sup> District – no, 6<sup>th</sup> District – no, Mayor – yes

### **ITEMS SUBMITTED BY THE MAYOR AND COUNCIL:**

**District 1** – Councilman Jaremchuk stated that there are 72 houses listed as vacant properties within the Town, which we are hoping to renovate and sell some of them to first time home buyers through the “Town of Elsmere Real Estate Holding Company”.

**District 2** – Councilwoman Frantz commented on the fireworks and had nothing but positive comments regarding them.

**District 3 – None**

**District 4** – Councilman McKewen stated that the \$90,000.00 is money the Town is lending to the corporation and once the homes are purchased and sold to whoever purchases them the money will go back to the Town.

**District 5** – Councilwoman Personti stated that she wanted to thank everyone for the love and support from last month with her mother passing.

**District 6 – None**

**Mayor** – Mayor Burg stated there will be a “Heroin Awareness” Program, at the Elsmere Fire House on July 23, 2014 at 7:00 p.m. It will be conducted by Marie Allen.

**PUBLIC COMMENT:**

None

**Chief Laura Giles awarded promotions to multiple members of the Public Safety Department.**

**ADJOURNMENT:**

**ACTION:** A motion was made by Councilwoman Norkavage to adjourn. The motion was seconded by Councilwoman Personti.

**VOTE:**           7-0                   Motion carried

These minutes summarize the agenda and other issues discussed at this Council Meeting. Votes are recorded accurately. The audio recordings of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio recordings may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

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**STEVEN E. BURG**  
**MAYOR**

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**JOANN I. PERSONTI**  
**SECRETARY**